Adjustment 03/24/2005 01 FC:2202

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Approved for Liss Tracicly 07/01/2006, ONE 0831-0231
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Under the page-twork Requirison Act of 1396, no pensare are required to respond to a collection of information unlessed displays a velid OMB contril number.

[TITION FOR EXTENSION OF TIME UNDER 37 CER 4 4 30/13]

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Application Number 09/493,891 Fied 1/29/2000 Por Por Exeminer Maiex, Leigh C This is a request under the previsions of 37 CFR 1,135(a) to extend the period for filing a reply in the above identified explication. The requested extension and fee are as follows (check time pariod desired and enter the appropriate fee below): Fig. Smell Entitle Files One month (37 CFR 1,17(e)(1)) \$120 \$60 \$_60. Two months (37 CFR 1,17(e)(2)) \$450 \$225 \$_60. Three months (37 CFR 1,17(e)(3)) \$1020 \$810 \$_793 \$_60. Four months (37 CFR 1,17(e)(3)) \$1500 \$793 \$_60. Five months (37 CFR 1,17(e)(3)) \$1500 \$793 \$_60. Preventh (37 CFR 1,17(e)(3)) \$1500 \$793 \$_60. Applicant delima small entity status. See 37 CFR 1,27. A check in the amount of the fee is enclosed. Payment by oredit card. Form PTO-2038 is attached. The Director is hereby sutherized to charge fees in this application to a Deposit Account. The Director is hereby sutherized to charge sees in this application to a Deposit Account. Peoplat Account Number 032634 Inhave enclosed a duplicate copy of this sheet. Wantussic: Intermetion on this form may become public. Credit card information should not be included on this form. Prodide credit card information and sutherized to charge fees in this application to a Deposit Account. The University of the properties of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). Statement under 37 CFR 1.34. Replication number 1 softing under 37 CFR 1.34. Replication number 2 states represent a settle previous or agent under 37 CFR 1.34. Statement under 37 CFR 1.34. The point of the previous or assignment of the order interest or both representation to the feet supplies to property as gent of record of the order interest or both representation to the feet supplies to property as the property of the state of the order interest or both representation to request to the order to be of the property of the supplies to property to the order interest or the order or representation to the s	Application Number 09/493,891 Filed 1/28/2000 For Art Unit 1623 Exeminer Malex, Let This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above application. The requested extension and fee are so follows (check time pariod desired and enter the appropriate fee fee Small Entity Fee Small Entity Fee Since Since I for the second of the sec	re identified below'r
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Via Facsimile: 703-308-6778

April 29, 2005

U.S. Patent and Trademark Office Washington, DC 20231

Attention: Deposit Account Refund

RE:

Deposit Account 032634 March 31, 2005 Statement Serial No. 09/493.891

Dear Sir or Madam:

Lhereby request that deposit account 03-2634 be credited in the amount of(\$25.00) A charge for Fee Code 2202, (Claims in excess of 20) was posted in error. The total number of claims filed for Serial No. 09/493,891 were 14.

CTT

I have attached a copy of the claims for your review. Also, enclosed is a copy of our March 32, 2005 Deposit Account Statement indicating the erroneously charge fee of \$25.00.

If you have any questions or need additional information with respect to this matter, please contact me either by email at iandrews@competitivetech.net, or by phone at 203-255-6044.

Respectfully submitted,

Attorney for the Assignee

Reg. No. 35,051

Enclosures

203.255.6044 Fox: 203.254.1102 email: CTT@CompetitiveTech.net www.CompetitiveTech.net

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:

Wallace A. Longton et al.

Serial No.:

09/493,891

Examiner:

Maier, Leigh C

Filed:

January 28, 2000

Group Art Unit:

1623

Attorney Docket:

LEH-35-98

Date:

CTT

March 22, 2005

LACTONES OF CARBOXYLIC ACID POLYSACCHARIDES AND METHODS

FOR FORMING CONJUGATES THEREOF

CERTIFICATE OF MAILING/TRANSMISSION UNDER 3/ C.F.R. & 1 B(a)(1)

increby certify that this correspondence (along with any referred to as being ato priced secure tree machines by the fulle to:

number (703) 872-9306

Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA

SUBMISSION WITH REQUEST FOR CONTINUED EXAMINATION <u>Under 37 CFR 1.114</u>

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir or Madam:

This Submission is submitted as part of a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-referenced patent application, and consists of an Amendment and Response to a Final Office Action mailed October 20, 2005, with a shortened statutory period for responding set to expire January 20, 2005. This RCE Submission was originally filed -)

LEH-35B-98 U.S. Ser. No. 09/493,891

on February 18, 2005, with an accompanying Petition requesting an extension of time in which to reply, which would extend the period for response to February 20, 2005; therefore, upon granting of the Petition, this RCE and Submission were timely filed.

However, the submitted Amendments were considered non-compliant, as explained in an Office Action mailed on March 2, 2005, on the bases that each claim has not been provided with the proper status identifier and that the status identifier for Claim 9 was incorrect. The Applicants were given one month to supply the corrected section which complies with 37 CFR 1.121.

The Applicants are submitting this corrected RCE Submission, in which the proper status identifier of each claim is presented and the status identifier for Claim 9 corrected to "Previously Presented," along with two copies each of the original Request for Continued Examination and the original Petition for extension of time; this RCE Submission is therefore in compliance with 37 CFR 1.121. Moreover, this corrected RCE Submission is filed on March 22, 2005, and is therefore timely filed, and no further fees are believed to be due with this RCE Submission. However, if necessary, please charge any additional fees due, including any fees necessary for extensions of time, or credit any overpayments, to Deposit Account No. 032634.

Applicants respectfully request reconsideration of the application in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this Submission.

Remarks/Arguments begin on page 8 of this Submission.

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AMENDMENTS

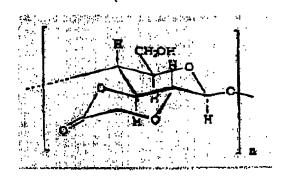
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To the Claims:

This listing of claims will replace all prior versions, and listings, of the claims in the application:

Listing of Claims:

1. (Withdrawn) A carboxymethyl cellulose compound according to the formula:



wherein "n" is an integer from 500 to 2000.

- 2. (Withdrawn) A carboxymethyl cellulose compound according to Claim 1 wherein "n" is an 15 integer from 1000 to 15000.
- 3. (Currently Amended) A method for the synthesis of a lactone of polysaccharide carboxylic acids which comprises (i) providing the free acid form of the polysaccharide as a finely-powdered, anhydrous carboxylic acid with minimal sodium and potassium carboxylate content; (ii) lactonizing said polysaccharide by thermal dehydration for a period greater than five hours in an anhydrous non-nucleophilic solvent; and (iii) collecting the resulting lactone product. wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxyand carboxymethyl cellulose, carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin.

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- 4. (Canceled)
- 5. (Currently Amended) A method according to Claim 3 which further comprises conducting said lactonization in a refluxing media wherein the solvent is selected from the group consisting of xylene, toluene, diglyme, and acctonitrile.
- 6. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is carboxymethyl-cellulose and the solvent is diglyme, lactorizing consists of:
 - (i) suspending the earboxymethyl cellulose in anhydrous diglyme;
 - (ii) heating the suspension to about 150°C for about 24 hours;
 - (iii) removing the diglyme solvent; and
 - (iv) collecting the lastene.
- 7. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is pectin acid and the solvent is toluene. lactonizing consists of:
 - (v) (i) suspending the pectin in anhydrous toluene;
 - (vi) (ii) heating the suspension for about 24 hours;
 - (vii) (iii) comoving the toluene solvent; and
 - (viii) (iv) collecting the lectone.
- 8. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is carboxymethyl-starch and the solvent is diglyme. lactonizing consists of:
 - (i) converting the starch to the free acid:
 - (ii) suspending the free acid in anhydrous diglyme;
 - (iii) heating the suspension;
 - (iv) removing the diglyme solvent; and

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(v) collecting the lactone.

- 9. (Previously Presented) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 3.
- 10. (Withdrawn) A method of forming a polysaccharide carboxylic acid lactone conjugate which comprises (i) ring-opening a polysaccharide carboxylic acid lactone selected from the group consisting of carboxymethly cellulose, carboxymethyl alpha- and beta- dextran, carboxymethyl starch, chitosan, O.N-Carboxymethyl, 0-carboxymethyl, N-carboxymethylchitosan. carboxy-starch. and pectin lactones, and (ii) coupling said lactone with a compound having a biological response within a targeted end-user.
- 11. (Withdrawn) A method according to Claim 10 wherein ring opening is accomplished with a nucleophilic compound.
- 12. (Withdrawn) A method for the synthesis of a therapeutic compound comprising the step of conjugating a therapeutic agent to a carboxymethly polysaccharide utilizing a reactive lactone of said carboxymethyl polysaccharide.
- 13. (Withdrawn) A method according of Claim 12 wherein the carboxymethyl polysaccharide is carboxymethyl cellulose, and wherein the therapeutic agent is selected from the group consisting of cisplatin, ellipticinium, aminoglutethemide, mitoxantrone, finasteride, vitamin E, alpha-difluoromethylomithine, mitoguazone, and nucleophilic chemotherapeutic agents.
- 14. (Withdrawn) A method for the synthesis of a conjugated polymer comprising the step of conjugating an agent to a carboxymethly polysaccharide utilizing a reactive lactone of said carboxymethyl polysaccharide, and wherein said agent is selected from the group consisting of

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an imaging diagnostic capable of binding radioactive metal ions for nuclear imaging or paramagnetic metal ions for magnetic resonance imaging, fragrances, flavorants, cis 3-hexen-l-ol, and property modifiers.

15. (Canceled)

- 16. (New) A polysaccharide carboxylic acid lactone product made according to a method for the synthesis of a lactone of polysaccharide carboxylic acids comprising:
- (i) providing the free acid form of the polysaccharide as a finely-powdered, anhydrous carboxylic acid with minimal sodium and potassium carboxylate content;
- (ii) lactonizing said polysaccharide by heating in an anhydrous non-nucleophilic solvent; and
 - (iii) collecting the resulting lactone product,

wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxy- and carboxymethyl cellulose, carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin, and wherein said polysaccharide carboxylic acid lactone is free of residual chemical activators and promoters.

- 17. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl cellulose.
- 18. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is pectin.
- 19. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl starch.

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- 20. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl cyclodextrin.
- 21. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl chitosan.
- 22. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxy starch.
- 23. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 3, wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin.

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